

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
BASIL SIMON, in his capacity as receiver for  
FutureNet Group, Inc.,

Plaintiff,

-against-

CAPITAL MERCHANT SERVICES, LLC,  
Defendant.  
-----X

USDC SDNY  
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19 CIVIL 904 (KPF)

**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons  
stated in the Court's Opinion and Order dated February 10, 2020, CMS's motion to dismiss is  
GRANTED; accordingly, the case is closed.

**Dated:** New York, New York  
February 10, 2020

**RUBY J. KRAJICK**

\_\_\_\_\_  
Clerk of Court

BY:

*[Signature]*  
\_\_\_\_\_  
Deputy Clerk